



Flathead County
Planning & Zoning
1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210



CONDITIONAL USE PERMIT APPLICATION

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$700.00

PROPOSED USE *(as described in the Flathead County Zoning Regulations):*

The applicant would like to apply for an extension of an existing Conditional Use Permit. The original CUP allows for a catering business as a home occupation within an AG-40 zone in an outbuilding facility with employees that are not family members. This extension proposal would be to allow the outbuilding facility to be utilized to hold small cooking classes for the public to attend. The cooking classes are to be held on Sunday afternoons from 3-6 pm, although on some rare occasions there may be an evening event. The applicant proposes to hold two events per month, one "for-profit" and the other on behalf of a non-profit/charity. The maximum number attendees at a for-profit event would be 10 people, typically couples, that come in approximately cars. At a non-profit event, there might be a maximum of 20 attendees, and perhaps 15 cars. One employee would be required to assist at the "for-profit" event, and two would be available for the non-profit events. The employees would arrive at noon on the day the event was to be held. Tamarack Brewing also comes to the classes to serve locally made beer and wines. They bring their own wait staff/bartender to serve alcohol. When Tamarack Brewing is not available, the Short Branch from Lakeside fills in. After the guests have left, an employee will stay a few hours to clean up and put away. This would be a year-round endeavor.

OWNER(S) OF RECORD:

Name: John Ledyard Phone: 270-4600
Mailing Address: 280 Twin Bridges Road
City, State, Zip Code: Whitefish, MT 59937
Email: johnsangels@centurytel.net

PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:

Name: Sands Surveying, Inc., (C/o Erica Wirtala) Phone: 755-6481
Mailing Address: 2 Village Loop
City, State, Zip Code: Kalispell, MT 59901
Email: erica@sandssurveying.com

LEGAL DESCRIPTION OF PROPERTY *(Refer to Property Records):*
Street

Address: 280 Twin Bridges Road

S 5 T 30N R 22W

Subdivision

Tract

Lot

Block

Name: _____

No(s). 3BH No(s). _____ No. _____

1. Zoning District and Zoning Classification in which use is proposed (EXAMPLE: *Bigfork Zoning District, SAG-5 zoning classification*):

The property is zoned AG-40 and is in the Blanchard Lake Zoning District.

2. Explain how the proposed use meets all of the required criteria below. ALL CRITERIA MUST BE DISCUSSED. If criteria are not applicable, please explain why. Attach drawings, additional text, site plans and any other documents that will assist staff in reviewing the proposed use. The more information you can provide, the easier it is for staff to review the application. Please discuss:

A. Site Suitability.

The site is suitable for the use. This includes:

- (1) adequate usable space

The building can easily accommodate a gathering of the above-noted sizes. One entire "wing" of the building is dedicated to this type of use (formal dining room), and the other "wing" contains the commercial kitchen. The parking lot area can easily contain a significant number of cars, with an overflow area available in the horse pasture.

- (2) adequate access

Cars will enter the property at the driveway located near the intersection of KM Ranch Road and Twin Bridges Road. There is a loop-around area available for those just dropping off participants and a parking area available for those that are staying for the duration. It was noted by the applicant that many of the employees carpool to the site from other areas of the County, thereby further reducing the number of vehicles on-site at any given time. In case of an emergency, there is also a through-road that exits the northern edge of the property should the main entrance be blocked. Twin Bridges Road is a freshly-paved State secondary highway. There is good sight distance in either direction. KM Ranch Road intersects Twin Bridges at this location.

- (3) absence of environmental constraints

The cooking classes will be held indoors within the outbuilding facility. The facility and the parking area is constructed on level ground. There is a pond on the property, but it is not impacted by the cooking class operation. There is no floodplain in this area and the facility and associated parking area is heavily screened from the road and adjoining properties by existing vegetation.

B. Appropriateness of Design.

The site plan for the proposed use will provide the most convenient and functional use of lot. Consideration of design should include:

- (1) parking scheme

Employees and participants to the cooking class will enter the property via gravel driveway off of Twin Bridges Road and travel a short distance to a gravel parking lot area. It is anticipated that the employee(s) will have already parked a few hours previously. As the "for-profit" cooking classes are marketed to couples, it is anticipated that for the ten participants, there would be approximately five extra cars in the parking area. For the charity events, more participants would be coming individually, and generate perhaps twenty cars. There is a turn-around area and additional parking in the barn area to accommodate any overflow.

- (2) traffic circulation

As noted above, there is ample parking for the participants of the cooking classes. Should there be a reason for an alternative exit, a farm road connects the outbuilding to the Ledyard's residence and a secondary exit onto Twin Bridges Road to the north. This is the route that food delivery vehicles prefer as it eliminates the need for them to reverse their vehicles (and those noisy back-up warning beeps).

- (3) open space

As this Conditional Use application is applicable to activities confined with the "outbuilding", the remainder of the Ledyard's 30 acres is unaffected. There is a large horse pasture, beautiful mature trees, landscaping and a pond that adds to the charm of the property.

- (4) fencing, screening

There is a wooden three rail fence that fronts Twin Bridges Road and existing vegetation that buffers views to the subject property from the road and adjoining properties. There are horses kept on the property, and there is fencing for their pasture.

- (5) landscaping

There is existing landscaping around the structure, but as it has been recently completed, it will take some time to mature. The property has been seeded and the lawn/grounds are well maintained. There is a rustic fence along the roadway as well as extensive mature trees and leafy vegetation between the subject property and adjoining neighbors.

- (6) signage

There is one existing sign posted on a rustic fence at the driveway entrance. There is no lighting on the sign. A second smaller sign (real estate listing size) is posted at the Ledyard's residential driveway entrance. There is no lighting on that sign either. The combined signage is under the maximum allowable square footage for signs for the AG-40 zone.

- (7) lighting

The structure has lighting typical to a private residential structure. There are two entry lights by the front door and a motion-sensor light over the big garage doors. There is no lighting at the driveway or on the sign. Lighting will not be altered as a result of the cooking classes.

C. Availability of Public Services and Facilities

The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:

- (1) sewer

There is no public sewer in this area, nor is it anticipated that sewer would be available in the near future. The site is served by a septic system that was recently approved and installed through the Flathead City County Health Department.

- (2) water

The property is served by a private well. There is no public water systems in the area.

- (3) storm water drainage

The parking area is unpaved (gravel), thereby allowing water to percolate down through the soil. Water coming off the roof of the outbuilding facility is directed by eaves and downspouts. The property is large (32 acre) and the soils are generally porous. It does not appear that stormwater drainage will be problematic.

- (4) fire protection

The property is sited within the Whitefish Rural Fire District, but in speaking to the Whitefish Fire Department, the property will be served by the main station in downtown Whitefish. Back-up trucks would come from the station located on Whitefish Stage and Hodgeson Road and manned by the volunteer staff. It is approximately 5.5 miles from the main Whitefish Station to 220 Twin Bridges Road. West Valley Volunteer Fire Department has a new substation located on Farm to Market Road only three miles down the road, and could also be available to respond in the event of an emergency. The subject property has been cleared of brush and meets the defensible space standards as typically required in subdivision conditions of approval.

- (5) police protection

The property is located outside of the Whitefish City limits, so police response would be handled by the Flathead county Sheriff's department.

- (6) streets

Twin Bridges Road is a state secondary highway and was recently re-asphalted so it is in good condition.

D. Immediate Neighborhood Impact

The proposed use will not be detrimental to surrounding neighborhoods in general. Typical negative impacts which extend beyond the proposed site include:

- (1) excessive traffic generation

The estimate for the cooking classes traffic generation would be as follows: The “for profit” classes that would accommodate 10 participants, typically couples, would perhaps generate 5 vehicle trips per class (one Sunday per month). It would also involve one employee coming to the site for a total of six additional cars to the property. The charity cooking classes have the potential to generate 20 vehicles, although an assumption could be made that some of the drivers may arrive in the same vehicle, plus two employees, for total of approximately 22 vehicles. One or two additional vehicles may be coming to the site from Tamarack Brewing or the Short Branch with their bartender/wait staff. It should be noted that Sunday is a low-volume traffic day and the hours of 3-6 pm are mid-day and peak traffic volumes are not this time.

- (2) noise or vibration

All of the cooking is done indoors in a commercial kitchen. There are commercial exhaust fans that vent from the interior of the structure, but the noise is minimal and cannot be heard by adjoining properties.

- (3) dust, glare or heat

None of the above items (dust, glare or heat) are created as a result of the cooking classes. The driveway is short, traffic speed is minimal and the parking areas are graveled and compacted.

- (4) smoke, fumes, gas, or odors

Cooking food smells are generated from the exhaust fans, but these are not invasive to other property owners.

- (5) inappropriate hours of operation

The classes will be held on Sunday afternoons from 3-6 pm. For the “for-profit” events, one employee will be at the site a few hours earlier and a few hours later for prep and take-down. At the charity events, which will have approximately 20 participants, two employees will most likely be required.

The following proposed uses shall meet additional requirements, known as “Conditional Use Standards” as outlined in Chapter 4 the Flathead County Zoning Regulations and require consultation with a staff planner PRIOR to application submittal:

- 4.01 Animal Hospitals, Kennels, Animal Shelters, Veterinary Clinics
- 4.02 Bed and Breakfast Establishments/Boarding Houses
- 4.03 Camp or Retreat Center
- 4.04 Caretaker’s Facility in AG, SAG, and R-1 Districts

- 4.07 Contractors Storage Yard in AG and SAG Districts
- 4.08 Day Care Centers- 13 or More Individuals
- 4.09 Electrical Distribution Stations
- 4.10 Extractive Industries
- 4.11 Family Hardship Dwellings
- 4.12 Manufactured Home Parks
- 4.13 Mini-Storage, Recreational Vehicle Storage
- 4.14 Motor Coach Subdivisions
- 4.15 Recreational Facilities (see also 7.17.040)
- 4.16 Temporary Uses

Consultation with Planner:

Date _____ Planner's Signature _____

INSTRUCTIONS FOR CONDITIONAL USE PERMIT APPLICATION:

1. Answer all questions. Answers should be clear and contain all the necessary information.
2. In answering question 1, refer to the classification system in the Zoning Regulations.
3. In answering questions 2 and 3, be specific and complete. Please use a separate sheet of paper to discuss the appropriate topics.
4. Copy of plot plan/site plan must be submitted with each application, with all existing or proposed structures shown, and distances from each other and from the property line. *If you are submitting a plan larger than 11x17 in size, please include 7 copies.*
5. A **Certified** Adjoining Property Owners List must be submitted with the application (*see forms below*). The list will be sent directly to the Planning & Zoning office, unless you request otherwise. This list is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.
 - *(The buffer should be 150 ft. for all areas with the following exceptions: Administrative Conditional Use Permits, standard Conditional Use Permits, and Planned Unit Development (PUD) applications within the Lakeside Zoning District require a 300 ft. buffer.)*

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.


Applicant Signature


Date